

CITY OF ANGELS
PLANNING COMMISSION
SUMMARY MINUTES

Regular Meeting of Thursday October 12, 2013
City Fire House 1404 Vallecito Road
Angels Camp, California

CALL TO ORDER

The meeting was called to order by Chair Broeder at 6:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

Commissioners Present: Chair Broeder, Vice-Chair Rudolph, Commissioner Griffin, and
Commissioner Gonzalez

Commissioners Absent: Commissioner Behiel

Staff Present: Planning & Building Director David Hanham, City Engineer
David Myers and Jennifer Preston Deputy City Clerk

APPROVAL OF MINUTES

1. Approval of the September 12, 2013 regular meeting minutes.

Page 2, 1st and 2nd paragraph, change all "resident" to "residence".

Page 2, 1st paragraph, 2nd line, change "a primary" to "as a primary".

Page 2, Item 2, 2nd line, change "of a error" to "of an error".

Page 2, Item 4, 3rd line, delete everything after, "Umpqua Bank told the DAC" and add " about
all their loan programs and other banking tools that they had to offer".

Page 3, 1st paragraph, 2nd line, change "and take back" to "and take them back".

Page 3, Staff Reports, 2nd line, change "is Angels Oaks" to "is located at Angels Oaks".

Page 3, Staff Reports, 6th line, change "Staff in working" to "Staff is working".

**MOTION BY COMMISSIONER GONZALEZ AND DULY SECONDED BY
COMMISSIONER RUDOLPH AND CARRIED 3-0-1 WITH COMMISSIONER GRIFFIN
ABSTAINING TO APPROVE THE SEPTEMBER 12, 2013 REGULAR MEETING MINUTES
AS AMENDED.**

VERIFICATION OF RESOLUTIONS

None

PUBLIC COMMENTS

OPENED AT 6:06 P.M.

Aaron Canez, 1162 S. Main Street, APN 060-010-044

Mr. Canez asked questions regarding the re-zones and was told by staff that all questions regarding the rezones would be answered during the public hearing.

CLOSED AT 6:08 P.M.

COMMUNICATIONS AND PETITIONS

None

PUBLIC HEARINGS

2. Heintz Parcel Map, 1882 Centennial Lane, APN 062-014-046

Planning Director Hanham presented the staff report and Resolution 2013-09 a Resolution for the Planning Commission to recommend to the City Council approval of a tentative Parcel Map for Jacqueline Heintz for the creation of 2 parcels, APN 062-014-046.

PUBLIC HEARING OPENED 6:25 PM

Ms. Vanessa Apodaca representing Jacqueline Heintz presented comments on all the Conditions of Approval with request to omit or change different conditions. (see attachment 1)

Planning Director Hanham stated that #24 is a standard condition when subdividing parcels so that one lot does not drain onto any other lot adjoining the property, and staff recommends that this condition stays as it is. #16 and #19 regarding future development, staff recognizes that there are only 2 parcels being created at this time, but if this parcel map is approved without these conditions then any future development that happens could impede the development of proposed parcel 2 by causing substandard streets to be put in due to driveway for parcel only being 40 feet. These conditions will assist future development so that fire apparatuses will be able to get back onto the property, because right now it is just a private driveway which is adequate for one house but if that parcel subdivides then a wider access would be needed.

Jackie Heintz, owner of 1882 Centennial Lane stated that she believes that some of these conditions are excessive for something that might never happen, and it puts a hardship on her. As far as a fire problem, the hammer head will take care of parcel 1. Ms. Heintz stated that fire trucks have already been on her property that is parcel 2, with no problems.

Planning Director Hanham stated that the commission should take each Condition of Approval separately to approve, omit, or change. The commission agreed on proceeding by taking each condition separately.

In Title, delete "and a remainder".

Condition 1, delete all highlighted area.

Condition 4, change "the approval of the final map" to "issuance of a Certificate of Occupancy".

Condition 5, change "complying with Section 16.20.100 of the City of Angels Municipal Code" to "addressing the suitability of building sites".

Condition 7, leave as is.

Condition 8, leave as is.

Condition 9, leave as is.

Condition 10, add in after "sewer mains", " within the property that are not already within an easement".

Condition 11, leave as is.

Condition 12, leave as is.

Condition 13, change "prior to the recording of the final map of this project" to " prior to the completion of this project with a note on Final Map outlining improvements that must be completed prior to the issuance of a Building Permit".

Condition 14, leave as is.

Condition 15, there was a large discussion concerning this item about the dedication of the hammer head for fire apparatuses, and the applicant stated that there was never going to be a dedication of the hammer head, it was only going to be used as a private driveway, probably gated somehow with a rope.

MOTION BY COMMISSIONER SUSAN RUDOLPH AND DULY SECONDED BY COMMISSIONER GONZALEZ AND CARRIED 4-0 TO DELETE CONDITION 15 AND ADD TO THE END OF CONDITION 17 "TO BE APPROVED BY THE CITY ENGINEER AND CITY FIRE MARSHALL.

Condition 16, both the Planning Director and City Engineer believe that condition 16 should stay in the conditions of approval because if the bigger parcel is subdivided later they would have to come through a different property because of the way the parcel is accessed at this time which is substandard. The applicant states that she is aware of that and she still wants the condition removed and future property owners would have to deal with the issue if they ever want to subdivide the land. Condition 16 will be deleted.

Condition 17 is now Condition 15, add at the end of paragraph "to be approved by the City Engineer and City Fire Marshall".

Condition 18 is now Condition 16, leave as is.

Condition 19 is now Condition 17, leave as is.

Condition 20 is now Condition 18, and change "City Council in accordance" to " City Council approval date in accordance".

Condition 21 is now Condition 19, delete "each lot" and add "Parcel 1", and delete "or approval of the final map" and add "or prior to issuance of Building Permit".

Condition 22 is now Condition 20, delete "the approval of the final map" and add "issuance of a Building Permit".

Condition 23 is now Condition 21, delete "a SWPPP, which includes".

Condition 24 is now Condition 22, leave as is.

Condition 25 is now Condition 23, leave as is.

PUBLIC COMMENT CLOSED 7:45PM

MOTION BY COMMISSIONER GONZALEZ AND DULY SECONCED BY COMMISSIONER RUDOLPH AND CARRIED 4-0 TO APPROVE RESOLUTION 2013-09 A RESOLUTION TO APPROVE TO THE CITY COUNCIL FOR A TENTATIVE PARCEL MAP FOR JACQUELINE HEINTZ FOR THE CREATION OF 2 PARCELS APN 062-014-046, AS AMENDED.

3. Historic Commercial Re-Zones

Planning Director Hanham presented the staff report on the Historic District Re-Zones of the City of Angels and the Resolution 2013-10 a Resolution Recommending to the City Council to Approve an Amendment to Title 17, Chapter 12, Zoning Districts. Planning Director Hanham also presented a PowerPoint presentation regarding the rezones.

PUBLIC HEARING OPENED 8:15PM

Lloyd Schneider 1141 S. Main Street

Mr. Schneider stated that he is one of the ministers at the church at 1141 S. Main Street. The building was built in 1904. There is a retaining wall that is an impediment to traffic and is falling apart and needs to be removed because it eliminates parking spaces in front of the church. Will there be issues about the wall if the church wants to do something with it, if it is zoned historic instead of being zoned community commercial?

Planning Director Hanham stated that the Historic Zone District allows churches to operate within it, so you are allowed to modify things without coming to the commission. The issue will be between the City, State and the Church since it is located on a State Route.

Mr. Schneider stated that he is in favor of the rezone because it will allow the church to apply for different grants that they were not able to before.

Aaron Canez 1162 S. Main Street

Mr. Canez stated that he owns the oldest residence in Angels Camp because it was built in 1851. He is rebuilding the house at this time. He wants to know how much time he has to make the modifications to the house before he would have to come before the commission to make such changes.

Planning Director Hanham stated that the house is considered to be a legal non-conforming use, which means that you can restore the building as long as you are just replacing what is there and not expanding the footprint of the building. If you wanted to expand the footprint then you would have to apply for a variance which comes before the Planning Commission.

PUBLIC HEARING CLOSED 8:30PM

MOTION BY COMMISSIONER RUDOLPH AND DULY SECONDED BY COMMISSIONER GRIFFIN AND CARRIED 4-0 TO APPROVE RESOLUTION 2013-10 A RESOLUTION RECOMMENDING TO THE CITY COUNCIL TO APPROVE AN AMENDMENT TO TITLE 17, CHAPTER 12, ZONING DISTRICTS.

PLANNING COMMISSION MATTERS

4. Site Plan Modification for 1329 S. Main Street, APN 062-009-052

Planning Director Hanham stated that the applicant decided to pull this item base on the fact that he has decided to go with the garage design that has already been approved by the Planning Commission.

COMMITTEE REPORTS

5. GPI - General Plan Implementation Committee – Planning Director Hanham

Planning Director Hanham stated that the Committee met today and reviewed the Land Use Table that the previous commissioners had started. They have it almost complete and it will be coming to the Commission in December for review. The next item that the Committee will be working on will be the Zone District of Business Attraction and Expansion (BAE) and the development standards for the BAE.

6. DAC – Destination Angels Camp Committee - Chair Broeder

Chair Broeder stated that there was not a meeting for DAC this month.

COMMISSIONER'S REPORTS

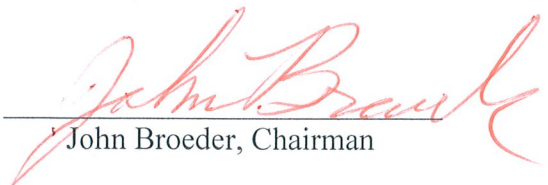
7. Action List

No Action List.

STAFF REPORTS

Planning Director Hanham stated that he is working with CCOG on the Partnership Planning Grant for the 4 and 49 intersection. Staff has been working on a CMAQ project on Murphys Grade Road. Staff is working on the Wagon Trail project and there will be a public meeting on October 24th at 6:00pm. The 49 Sidewalk project has been given to the Engineer to start working on. Denova Homes has been in contact with staff about the 55 lots in Greenhorn Creek. The Angels Creek Master Plan and Trail is on the backburner until we can apply for grants in the spring. Mark Twain Saint Joseph Hospital Site Plan is in process with doing a traffic study for 49 and Dogtown Road. They are looking at possibly doing a right in and right out only.

MEETING WAS ADJOURNED AT 9:08 p.m.


John Broeder, Chairman

ATTEST:


Jennifer Preston, Deputy City Clerk

ATTACHMENT 1

Applicant's Response to the Conditions

CONDITIONS OF APPROVAL

Project No. 2013-32

A Parcel Map for the creation of 2 parcels and a Remainder located
at 1882 Centennial Lane, Angels Camp
APN 062-014-046

Comment [V1]: No remainder is proposed

General:

1. The final map shall substantially conform to the tentative map as submitted July 10, 2013 to the City of Angels Planning Department and as approved by the City of Angels Planning Commission. The final map shall show all easements of record. Should a 20' wide easement not exist for the sewer line shown along the east boundary of Parcel 1, the final map shall provide for dedication of an easement in accordance with Section 14.05 of the City of Angels Improvement Standards. It should be noted that the dedication of this easement will reduce the size of the permissible building area shown on the tentative map for Parcel 2.
2. Provide a certificate or statement from the official computing redemption agency that according to the records of that office that there are no liens against the parcel or any part thereof for unpaid state, county, municipal, or local taxes or special assessments collected as taxes except taxes or special assessments which are not yet payable.
3. The Final Parcel Map shall be prepared by a licensed surveyor or an appropriately licensed civil engineer. The Map shall comply with all local and state rules and regulations governing the preparation of the map.
4. Separate water and sewer services shall be provided for each parcel created by the parcel map prior to the approval of the final map.
5. A soils report complying with Section 16.20.100 of the City of Angels Municipal Code shall be provided prior to the submittal of the final map for checking. The soil report may require a soil investigation, which shall be reviewed and approved by the City prior to the approval of the final map.
6. All monuments shall be placed at all corners, angle points, beginning and ending of curves to describe all right of way and property lines.
7. All utility construction shall comply with the improvement standards, municipal codes, and state regulations except as approved otherwise by the City Engineer.
8. A sewer service line is required to be constructed to each parcel per section 13.12.185 (B) of the City of Angels municipal code.
9. Each parcel shall be served by individual utility connections.

Comment [V2]: No sewer main is shown, no easement exists. Per City maps, the referenced sewer main is on an adjacent parcel and no easement is required. Proposed Condition #10 includes easement requirements. We request this be omitted.

Comment [V3]: Water and sewer service exists for Parcel 2. We request this be revised to clarify Parcel 1 only and that the requirement be prior to issuance of a Certificate of Occupancy. A note for utility connections prior to occupancy may be placed on the Parcel Map.

Comment [V4]: City Code required a soils report for Final Maps. This is a Parcel Map. We request this condition be omitted.

Comment [V5]: Sewer service exists for Parcel 2. We request this be revised to clarify Parcel 1 only. See also Condition #4.

10. Prior to the recordation of the final map, an easement shall be dedicated to the City of Angels for any water or sewer mains, the width of the easement shall be 20 feet in accordance with Section 16.24.080 of the City of Angels municipal code.

Comment [V6]: Please clarify as follows: for any water or sewer mains within the property that are not already within an easement.

11. All service laterals that cross the property being divided shall be dedicated to the benefit of the property they serve. The dedication shall be 10 feet in width.

Comment [V7]: We request this be clarified to state that all service laterals crossing an adjacent proposed parcel within the subdivision will require a private 10' wide easement to be dedicated on the Parcel Map.

12. All road, water, sewer system improvements required for the project shall be constructed by the proponent at his sole expense in accordance with the City of Angels Improvement Standards.

13. Proponent shall pay all applicable fees including but not limited to sewer, water, capital improvement fees, impact fees, permit fees, licensing fees, and charges in affect at the time of the issuance of a building permit. All improvements required shall be in constructed to City Standards at proponents sole expense prior to the recording of the final map of this project.

Comment [V8]: We request this be revised to be prior to issuance of a building permit or Certificate of Occupancy. A note may be added to the Parcel Map.

14. An encroachment permit shall be obtained prior to performing any work in the road right of way.

15. All road right of way construction and dedications shall comply with the improvement standards, City municipal code, and state regulations except as provided otherwise by the City Engineer.

Comment [V9]: No road construction or dedication is proposed. We request this condition be removed.

16. All street and utility dedications shall be extended to the adjoining unsubdivided land to provide the most advantageous development of the street pattern in the area pursuant to Section 16.24.060 (E) of the City of Angels municipal code.

Comment [V10]: Pursuant to SMA Section 66411.1 (a) , "whenever a local ordinance requires improvements for a division of land which is not a subdivision of five or more lots, the regulations shall be limited to the dedication of rights-of-way, easements, and the construction of reasonable offsite and onsite improvements for the parcels being created." This is a subdivision into 2 parcels, each served by a public street, and no street or utility dedications are necessary for the parcels being created. We request this condition be removed. An extension of Ramorini is not included in the GP Circulation Element, and the adjacent un-subdivided property fronts several City streets. Dedications are not necessary for this parcel split.

17. Prior to the Final Inspection of a building permit, the applicant shall construct a fire apparatus turnaround at the end of Ramorini Lane that is consistent with California Fire Code (CFC) appendix D103.4 as purposed.

18. Prior to the issuance of a building permit, the applicant shall relocate the fire hydrant on Ramorini Lane as to not interfere with vehicle ingress/egress and provide adequate measure to protect hydrant from vehicle damage.

Comment [V11]: We request this to be revised to issuance of Certificate of Occupancy as hydrant relocation would be part of the proposed improvements covered by a building permit.

19. Prior to future development of Parcels 1 or 2:

- A. the applicant shall provide fire hydrant locations for new development on either parcels 1 or 2
- B. the applicant shall construct fire apparatus access road in accordance with CFC Appendix D102.1 & D103.1
- C. Provide a turnaround for future development on Parcel 1 in accordance with CFC 103.4

Comment [V12]: No future subdivision of Parcels 1 or 2 is proposed. We request this condition be removed.

20. The Tentative Map life is two years from the City Council in accordance with the Subdivision Map Act.

Comment [V13]: Approval date?

21. Proponent shall submit a grading plan for each lot for review and approval of the City Engineer prior to any construction of any improvement or approval of the final map.
22. The applicant shall submit a detailed drainage study, grading plan and drainage plan for review and approval by the City Engineer prior to the approval of a final map.
23. The applicant shall submit a SWPPP, which includes an Erosion Control Plan incorporating Best Management Practices, shall be submitted and approved by the City Engineer prior to the issuance of a grading permit.
24. All lots shall be graded so as not to drain onto any other lot adjoining the property prior to being deposited to an approved storm drainage system.
25. Applicant agrees to defend, indemnify and hold harmless the City of Angels, its officers agents and employees from any and all claims, actions, proceedings or liability of any nature whatsoever (including attorneys fees and cost awards) arising out of, or in connection with, the City's review or approval of the proposal, or the acts or omissions of the developer. The modification of a proposal by the applicant or the imposition of conditions by the City shall not alter the effectiveness of this indemnity obligation.

Comment [V14]: No improvements are proposed for Parcel 2 as this parcel is developed. We request this be clarified to include Parcel 1 only. Additionally, we request this be revised to be prior to issuance of building permit.

Comment [V15]: We request this be revised to be prior to issuance of building permit.

Comment [V16]: SWPPPs are only required for ground disturbance of 1 acre or more. No such ground disturbance is proposed for development of Parcel 1. We request this condition be removed or clarified to include an erosion control plan only.

Comment [V17]: No improvements are proposed for Parcel 2 as this parcel is developed. An existing drainage swale lies within proposed Parcel 1. We request this condition be restated to provide for existing drainage patterns to remain at the property limits with onsite improvements to mitigate any increased runoff.